

Attorney Docket No. 52456-8024.US01

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Date:

October 3, 2003

By:

Lynnea B. Anderson  
Lynnea B. Anderson

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Zuckermann *et al.*

APPLICATION No.: 10/025,423

FILED: December 18, 2001

FOR: **OLIGONUCLEOTIDE TRANSFECTION  
SCREENING METHOD**

EXAMINER: Wessendorf, T.

ART UNIT: 1639

CONF. No: 6469

**Supplemental Information Disclosure Statement After First Office Action  
but Before Final Action or Notice of Allowance – 37 CFR 1.97(c)**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

The information transmitted herewith is being filed *after* three months of the filing date of this application or after the mailing date of the first Office action on the merits, whichever occurred last, but *before* the mailing date of either a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, whichever occurs first. The references listed on the enclosed Form PTO/SB/08A may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

- ☒ Copies of the following references are enclosed:
- ☒ All cited references
  - ☐ References marked by asterisks
  - ☒ The following: Copy of International Search Report for Int'l. Application No. PCT/US01/49175; filed 18 December 2001.

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- ☐ Copies of the following references can be found in parent U.S. Application No. :
  - ☐ All cited references
  - ☐ References marked by asterisks
  - ☐ The following:
- ☐ The following references are not in English. For each such reference, the undersigned has enclosed: (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority citing the reference; (iii) a copy of a reference which appears to be an English-language counterpart; or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.
  - ☐ All cited references
  - ☐ References marked by ampersands
  - ☐ The following:

3. Effect of Information Disclosure Statement (37 CFR 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment (37 CFR 1.97(c)) or Certification (37 CFR 1.97(e))

- ☐ Applicant elects to pay the fee under 37 CFR 1.17(p) \$180.00.
  - ☐ Check enclosed for \$180.00.
  - ☐ Please charge the above fee(s) to Deposit Account No. 50-2207 this paper is provided in triplicate.
- ☒ Applicant submits that no fee is due in light of the following certification under 37 CFR 1.97(e) (check only one):
  - ☒ In accordance with 37 CFR 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to this filing of this statement; or
  - ☐ In accordance with 37 CFR 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a

communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c), more than three months prior to the filing of this statement.

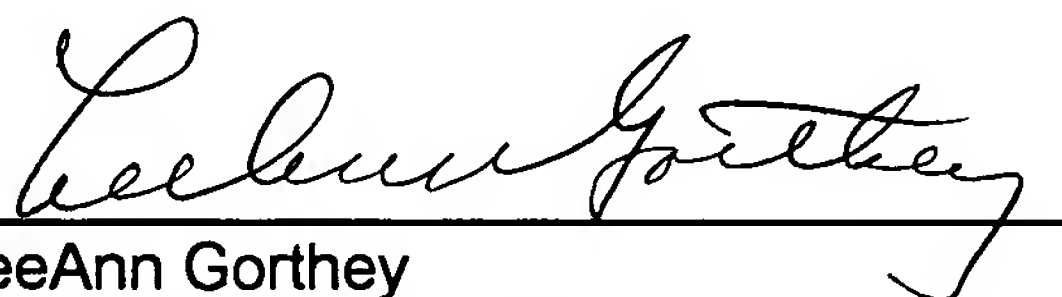
☒ Please charge any underpayment for timely filing of this paper to Deposit Account No. 50-2207.

5. Patent Term Adjustment (37 CFR 1.704(d))

☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. §1.704(d).

Respectfully submitted,  
Perkins Coie LLP

Date: 10-3-2003

  
LeeAnn Gortney  
Registration No. 37,337

**Correspondence Address:**

Customer No. 22918  
(650) 838-4300

<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Form PTO-1449 (Modified) (Use several sheets if necessary)				<b>COMPLETE IF KNOWN</b>	
				Application Number	10/025,423
				Filed	December 18, 2001
				First Named Inventor	Zuckermann et al.
				Group Art Unit	1639
				Examiner Name	Wessendoirf, T.
Sheet 1 of _____				Atty Dkt No.	52456-8024 US01

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear
		NUMBER	Kind Code (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initial	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Figures Appear	T
		Office	NUMBER	Kind Code (if known)				
		PCT	WO 98/08092	A	Dunnington <i>et al.</i>	02/26/98		
		PCT	WO 04/02515	A	Lerner <i>et al.</i>	02/03/94		
		PCT	WO 92/00091	A	Lam <i>et al.</i>	01/09/92		
		PCT	WO 98/06437	A	Zuckermann <i>et al.</i>	02/19/98		

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
		Lebl <i>et al.</i> , "Multiple release of equimolar amounts of peptides from a polymeric carrier using orthogonal linkage-cleavage chemistry," <i>Int. J. Peptide Protein Res.</i> 41:201-203, (1993).	
		Copy of International Search Report for PCT/US01/49175	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).	